PATENT
Attorney Docket No. 223316

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kasid et al.

Group Art Unit: Unassigned

Application No. Unassigned

Examiner: Unassigned

Filed: July 25, 2003

For: ANTI-APOTOPIC GENE SCC-S2 AND DIAGNOSTIC AND THERAPEUTIC USES THEREOF

INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date

of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:

☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).

or

☐ the fee of $180 set forth in 37 CFR 1.17(p) (see "Fees" below).

☐ **after** the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of $180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

☐ **after** the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of $180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

☒ Copies of the references listed on the enclosed Form 1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).

☒ A copy of the foreign search report is enclosed herewith.

☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status *(check one)*		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Statement under 37 CFR 1.97(e)

☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

☒ **No fee** is owed by the applicant(s).
☐ The **IDS Fee of $180** under 37 CFR 1.17(p) is enclosed herewith.

Method of Payment of Fees

☐ Attached is a check in the amount of $.
☐ Charge Deposit Account No. 12-1216 in the amount of $. (A duplicate copy of this communication is enclosed for that purpose.)

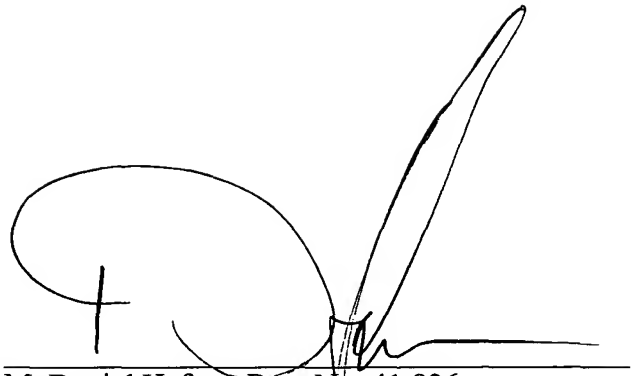
Authorization to Charge Additional Fees

☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

In re Appln. of Kasid et al.
Application No. Unassigned

Instructions as to Overpayment

☒ Credit Account No. 12-1216.
☐ Refund



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Substitute for form 1449A/B/PTO				Complete if Known	
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(Use as many sheets as necessary)				Examiner Name	Unassigned
Sheet	1	of	3	Attorney Docket Number	223316

U.S. PATENT DOCUMENTS						
Examiner Initials	Doc. No.	U.S. Patent Document: Application or Patent Number	U.S. Patent Document: Kind Code	Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
	AA	5,801,154		Baracchini et al.	Sept. 1, 1998	

OTHER - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation: Yes	Translation: No++
	AB	AGRAWAL, "Importance of nucleotide sequence and chemical modifications of antisense oligonucleotides," *Biochimica et Biophysica Acta 1489*, 53-68 (1999)		
	AC	ASHKENAZI et al., "Death Receptors: Signaling and Modulation," *Science*, *281* (5381), 1305-1308 (1998)		
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	AH	CORPET, "Multiple sequence alignment with hierarchical clustering," *Nucleic Acids Research*, *16* (22), 10881-10890 (1988)		
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	AP	HEO et al., "Biology, Cytogenetics, and Sensitivity to Immunological Effector Cells of New Head and Neck Squamous Cell Carcinoma Lines," *Cancer Research*, *49* (18), 5167-5175 (1989)		
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			Yes	No*+
	AR	HU et al., "A Novel Family of Viral Death Effector Domain-containing Molecules That Inhibit Both CD-95- and Tumor Necrosis Factor Receptor-1-induced Apoptosis," *The Journal of Biological Chemistry*, *272* (15), 9621-9624 (1997)		
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	BD	MILNER et al., "Selecting effective antisense reagents on combinatorial oligonucleotide arrays," *Nature Biotechnology*, *15*, 537-541 (1997)		
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	BF	MUZIO et al., "FLICE, A Novel FADD-Homologous ICE/CED-3-like Protease, Is Recruited to the CD95 (Fas/APO-1) Death-Inducing Signaling Complex," *Cell*, *85* (6) 817-827 (1996)		
	BG	NAKAI et al., "A Knowledge Base for Predicting Protein Localization Sites in Eukaryotic Cells," *GENOMICS*, *14*, 897-911 (1992)		
	BH	NICOLETTI et al., "A rapid and simple method for measuring thymocyte apoptosis by propidium iodide staining and flow cytometry," *Journal of Immunological Methods*, *139* (2), 271-279 (1991)		
	BI	ODA et al., "Cloning of the Human α-Catenin cDNA and its Aberrant mRNA in a Human Cancer Cell Line," *Biochemical and Biophysical Research Communications*, *193* (3), 897-904 (1993)		
	BJ	PATEL et al., "Constitutive Modulation of Raf-1 Protein Kinase is Associated with Differential Gene Expression of Several Known and Unknown Genes," *Molecular Medicine, Official Journal of the Molecular Medicine Society*, *3* (10), 674-685 (1997)		

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	B K	PATEL et al., "Identification of Seven Differentially Displayed Transcripts in Human Primary and Matched Metastatic Head and Neck Squamous Cell Carcinoma Cell Lines: Implications in Metastasis and/or Radiation Response," *Oral Oncology*, *33* (3), 197-203 (1997)		
	B L	SACCHI et al., "Antiproliferative Effects of Cytokines on Squamous Cell Carcinoma," *Archives of Otolaryngology-Head & Neck Surgery*, *117* (3), 321-326 (1991)		
	B M	SATA et al., "Endothelial Cell Apoptosis Induced by Oxidized LDL Is Associated with the Down-regulation of the Cellular Caspase Inhibitor FLIP," *The Journal of Biological Chemistry*, *273* (50), 33103-33106 (1998)		
	B N	SRINIVASULA et al., "FLAME-1 a Novel FADD-like Anti-apoptotic Molecule That Regualtes Fas/TNFR1-induced Apoptosis," *The Journal of Biological Chemistry*, *272* (30), 18542-18545 (1997)		
	B O	STEIN, "Two problems in antisense biotechnology: in vitro delivery and the design of antisense experiments," *Biochimica et Biophysica Acta 1489*, 45-52 (1999)		
	B P	TEWARI et al., "CrmA, a Poxvirus-encoded Serpin, Inhibits Cytotoxic T-lymphocyte-mediated Apoptosis," *The Journal of Biological Chemistry*, *270* (39), 22705-22708 (1995)		
	B Q	THOME et al., "Viral FLICE-inhibitory proteins (FLIPs) prevent apoptosis induced by death receptors," *386* (6624), 517-521 (1997)		
	B R	TROPPMAIR et al., "v-Raf/v-Myc Synergism in Abrogation of IL-13 Dependence: v-Raf Suppresses Apoptosis," Mechanisms in B-Cell Neoplasia 1992, Workshop at the National Cancer Institute, National Institutes of Health, Bethesda, Maryland, 453-460 (1992)		
	B S	WEISS et al., "Human Herpesvirus Type 8 and Kaposi's Sarcoma," *Mongraphs Journal of the National Cancer Institute*, (23), 51-54 (1998)		
	B T	YEH et al., "Mitogen-activated Protein Kinase Kinase Antagonized Fas-associated Death Domain Protein-mediated Apoptosis by Induced FLICE-inhibitory Protein Expression," *The Journal of Experimental Medicine*, *188* (10), 1795-1802 (1998)		

Examiner Signature		Date Considered	

* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

\+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).